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a plurality of retaining ledges coupled to at least one of said side walls or end walls, and a
perforate grate supported on said retaining ledges and said central raised portion.

Please add the following new claims:

A? 21. Deep fat frying apparatus as set forth in claim 2, wherein said cooking vessel includes a perforate grate positioned in an elevated position relative to the outboard edge of the sloping wall surfaces to define a cooking zone thereabove.

22. Deep fat frying apparatus as set forth in claim 12, wherein said heating element is adjustably mounted to said frame for positioning in one of a plurality of different locations at different vertical spacing relative to the central raised portion of the cooking vessel when the cooking vessel is received on the frame.

REMARKS

Claims 2-16 and 19-20 remain in this application and new claims 21 and 22 have been added by amendment. Claims 1, 17 and 18 have been cancelled. Claims 2, 8, and 12 have been amended to independent claims to include the limitations of claim 1 while claim 20 has been amended to include the limitations of claims 17 and 18. Claims 7, 9 and 15 have been amended to depend from claim 2 instead of claim 1. Claim 19 now depends from claim 18. New claim 21 depends from claim 2 and is in other respects the same as claim 12 prior to amendment, and new claim 22 depends from claim 12 and is in other respects the same as claim 8 prior to amendment.

Applicants appreciate the recognition that claims 2-6, 12-14 and 20 of the application as filed were allowable over the art of record. Applicants have accordingly amended claims 2, 12 and 20 to include the limitations of the base independent claims and any intermediate dependent claims. Claims 7, 9, 10 and 15 now depend from claim 2.

Thus, except for claim 8, applicants believe that the amendment conforms to the indication of allowable subject matter as set forth in the first office action.

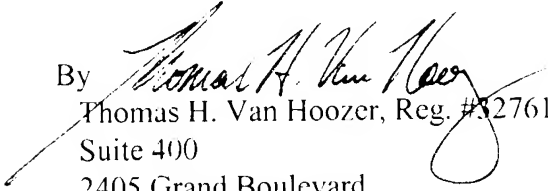
Applicants respectfully traverse the rejection under §102(b) with respect to claim 8. Applicants have reviewed the Taber et al. patent, as well as the Oiwa and Taylor et al. references cited by the examiner, but do not find any teaching or suggestion of structure which enables the vertical distance between the heating element and the central raised portion of the cooking vessel to be varied when the vessel is received on the frame. This ability to vary the positioning of the burner provides several advantages, such as allowing adjustment according to ambient temperature, the product to be cooked, the type of cooking medium to be employed, and the fuel to be used. A review of the Taber et al. patent fails to reveal any structure which permits the vertical distance between the cooking vessel and the heating element to be adjusted. Rather, Taber et al. discusses the use of pulsing of the heating element or use of an electrical plate at col. 7, line 45 through col. 8, line 46. The drawings show no structure for adjusting the distance between the burner and the vessel. Thus, applicants respectfully request reconsideration and allowance of claim 8 as amended as being both novel and non-obvious over the prior art.

For all of the foregoing reasons, applicants submits that the drawings, specification and the claims are now in proper form, and that all of the claims define patentably over the prior art. Accordingly, early issuance of the Notice of Allowance is courteously requested. Should any additional fees be due in connection with this submission, they may be charged to deposit account 19-0522. Any issues which remain and may be resolved by a telephone conference may directed to the undersigned at 1-800-445-3460.

Respectfully submitted,

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(Docket No. 31688)

Applicant: Ponting, Reams R. et al.
Title: APPARATUS FOR DEEP FAT FRYING
Application Ser. No.: 10/042,593
Group Art Unit: 1761
Examiner: Simone, Timothy
Attorney Docket No.: 31688

MARKED UP COPY OF AMENDMENT TO SHOW CHANGES MADE

SPECIFICATION

Please amend the specification at the paragraph beginning at page 9, line 25 as follows:

A modified deep fat fryer assembly 10a including an [An] alternate embodiment of the support assembly 14a is illustrated in Figs. 4 and 5, wherein the flame burner 76a has an arcuate upper surface and is at a fixed position relative to the support frame 64a. The arcuate upper surface of flame burner 76a provided with transverse slots longitudinally spaced along the flame burner 76a serves to disperse the heat to avoid scorching on the central raised portion 40 or the sloping wall surfaces due to an excessive concentration of heat in any area. As with flame burner 76, the top of the flame burner 76a is preferably positioned below a plane defined by the bottom edge of the end walls and side walls. The support frame 64a is provided with crossbolt 100 which extends through baffle 106 and the carrier 86a includes an upright sleeve 102 which receives a bolt 104 therein for coupling the flame burner 76a to the support frame 64a. Moreover, the carrier 86a includes a downwardly extending baffle 106 which not only includes a notch 108 for receipt of the crossbolt 98 but also helps to inhibit strong gusts of wind from impairing the performance of the flame burner 76a. In other respects, the cooking vessel 12 and other aspects of the support assembly 14a as shown in Figs. 4 and 5 are substantially as shown and described with regard to the embodiment shown in Figs. 1, 2 and 3.

CLAIMS

Please amend the claims to read as follows:

Please cancel claims 1, 17 and 18.

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2. (Amended) [Deep fat frying apparatus as set forth in claim 1]
Apparatus for deep fat frying of food items comprising:
a cooking vessel including first and second opposed upright end walls each having
respective upper and lower edges, first and second opposed upright sidewalls each
having respective upper and lower edges, and a bottom wall extending between
the end walls and the side walls to provide a vessel adapted for retaining a
quantity of a cooking medium therein, said bottom wall including first and second
sloping wall surfaces diverging and downwardly extending from an elongated
central raised portion, said central raised portion longitudinally extending between
said end walls; and
a heater support assembly including a frame and an elongated heating element, said frame
being complementally configured to said cooking vessel for resisting horizontal
movement of the cooking vessel relative to the frame and for removably
supporting said cooking vessel above said heating element with the central raised
portion being in spaced relationship directly above and in vertical alignment with
said elongated heating element,
wherein said frame includes an upright retaining member adjacent said cooking vessel
side walls and end walls when said cooking vessel is received in said frame, and
wherein said cooking vessel side walls and end walls are complementally sized
and configured relative to said frame whereby said frame receives said cooking
vessel inside said retaining member only with said central raised portion
positioned in vertical alignment with said elongated heating element.

7. (Amended) Deep fat frying apparatus as set forth in claim [1] 2, wherein said
heating element is an elongated gas burner.

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8. (Amended) [Deep fat frying apparatus as set forth in claim 1] Apparatus for deep fat frying of food items comprising:

a cooking vessel including first and second opposed upright end walls each having respective upper and lower edges, first and second opposed upright sidewalls each having respective upper and lower edges, and a bottom wall extending between the end walls and the side walls to provide a vessel adapted for retaining a quantity of a cooking medium therein, said bottom wall including first and second sloping wall surfaces diverging and downwardly extending from an elongated central raised portion, said central raised portion longitudinally extending between said end walls; and

a heater support assembly including a frame and an elongated heating element, said frame being complementally configured to said cooking vessel for resisting horizontal movement of the cooking vessel relative to the frame and for removably supporting said cooking vessel above said heating element with the central raised portion being in spaced relationship directly above and in vertical alignment with said elongated heating element,

wherein said heating element is adjustably mounted to said frame for positioning in one of a plurality different locations at different vertical spacing relative to the central raised portion of the cooking vessel when the cooking vessel is received on the frame.

9. (Amended) Deep fat frying apparatus as set forth in claim [1] 2,
wherein said central raised portion is an elongated ridge extending between said end walls and is located substantially equidistant from said side walls.

10. (Amended) Deep fat frying apparatus as set forth in claim [1] 2,
wherein said sloping wall surfaces have a slope relative to the horizontal of between about 4° and about 30°.

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12. (Amended) [Deep fat frying apparatus as set forth in claim 1]
Apparatus for deep fat frying of food items comprising:
a cooking vessel including first and second opposed upright end walls each having
respective upper and lower edges, first and second opposed upright sidewalls each
having respective upper and lower edges, and a bottom wall extending between
the end walls and the side walls to provide a vessel adapted for retaining a
quantity of a cooking medium therein, said bottom wall including first and second
sloping wall surfaces diverging and downwardly extending from an elongated
central raised portion, said central raised portion longitudinally extending between
said end walls; and
a heater support assembly including a frame and an elongated heating element, said frame
being complementally configured to said cooking vessel for resisting horizontal
movement of the cooking vessel relative to the frame and for removably
supporting said cooking vessel above said heating element with the central raised
portion being in spaced relationship directly above and in vertical alignment with
said elongated heating element,
wherein said cooking vessel includes a perforate grate positioned in an elevated position
relative to the outboard edge of the sloping wall surfaces to define a cooking zone
thereabove.

15. (Amended) Deep fat frying apparatus as set forth in claim [1] 2,
wherein said side walls are substantially perpendicular to said end walls and wherein said side
walls have a length and said end walls have a width, the length of said side walls being greater
than the width of said end walls.

19. (Amended) A cooking vessel as set forth in claim [18] 20, wherein said
lower edges of said side walls and end walls extend below said outboard edges of said sloping
wall surfaces.

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20. (Amended) A cooking vessel [as set forth in claim 18.] adapted for deep fat frying after positioning over a heating element and for receiving a quantity of a cooking medium and at least one food item therein, said cooking vessel comprising:

a pair of upright opposed end walls each having a respective upper edge and a respective lower edge;

a pair of upright opposed side walls oriented substantially perpendicular to the end walls, each of the side walls having a respective upper edge and a respective lower edge;
and

a bottom wall extending between the end walls and the side walls to provide a vessel adapted to contain a cooking medium therein, said bottom wall including first and second sloping wall surfaces each having a respective outboard edge and an elongated central raised portion extending between said end walls, said first and second sloping wall surfaces extending outwardly and downwardly from said central raised portion toward respective side walls,

wherein said bottom wall includes a pair of longitudinally extending troughs oriented substantially parallel to said central raised portion and extending below said outboard edges of said sloping wall surfaces, said troughs each including an upright barrier wall opposite and inboard of said side walls and extending downwardly from said outboard edges of respective ones of said sloping wall surfaces; and

[including] a plurality of retaining ledges coupled to at least one [or] of said side walls or end walls, and a perforate grate supported on said retaining ledges and said central raised portion.

Please add the following new claims:

21. Deep fat frying apparatus as set forth in claim 2, wherein said cooking vessel includes a perforate grate positioned in an elevated position relative to the outboard edge of the sloping wall surfaces to define a cooking zone thereabove.

22. Deep fat frying apparatus as set forth in claim 12, wherein said heating element is adjustably mounted to said frame for positioning in one of a plurality of different locations at different vertical spacing relative to the central raised portion of the cooking vessel when the cooking vessel is received on the frame.